

PORT OF SEATTLE
MEMORANDUM

COMMISSION AGENDA

ACTION ITEM

Item No. 5h
Date of Meeting June 26, 2012

DATE: June 18, 2012

TO: Tay Yoshitani, Chief Executive Officer

FROM: Bob Duffner, Senior Manager Environmental Programs, Aviation Environmental
Roger Maney, Environmental Management Specialist II, Aviation Environmental RMD
RM

SUBJECT: Natural Resources Mitigation and Permitting Support IDIQ Contract

Amount of This Request: \$0

Source of Funds: Current and Future
Annual Operating Budget and
Individual Project Authorizations

Maximum Value of Contract: \$800,000

ACTION REQUESTED:

Request Port Commission authorization for the Chief Executive Officer to execute an indefinite delivery, indefinite quantity (IDIQ) contract for environmental consulting services totaling \$800,000 with a five-year contract ordering period. There is no budget request associated with this authorization.

SYNOPSIS:

The Aviation Environmental Department proposes to advertise and select one qualified firm to provide natural resources consulting services. This contract will support ongoing compliance with requirements of the 1997 Master Plan Update (MPU) project's U.S. Army Corps of Engineers' §404 Permit and associated Washington Department of Ecology's §401 Water Quality Certification. These services may also provide natural resource consulting services related to environmental reviews, permit development and compliance, capital improvement project (CIP) support and operations and maintenance for Aviation development and existing facilities.

BACKGROUND:

The 1997 MPU projects affected approximately 18.47 acres of wetland and two miles of stream habitat. To mitigate for these impacts, the Port obtained permits that required the enhancement, creation, and restoration of approximately 190 acres of wetland and wetland buffers as well as two miles of stream. The permit conditions also required low streamflow augmentation in two

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streams during summer months and long-term monitoring for any unanticipated and indirect functional impacts to wetlands adjacent to the Third Runway.

Mitigation site construction was fully completed between 2006-2012. Permit conditions also stipulate that the Port conduct extensive hydrologic, vegetation, and habitat monitoring for a period of 15 years after construction of each project.

PROJECT JUSTIFICATION:

The purpose of this contract is to ensure that experienced environmental professionals are available to provide the technical expertise and field support needed to meet the ongoing compliance requirements of environmental permits issued for the Airport's 1997 MPU projects.

Project Objectives:

Consultant services procured under this contract will support Port staff in performing mitigation monitoring and reporting for a five-year segment of the required 15-year compliance period for stream and wetland mitigation, low flow augmentation, and indirect impacts.

The procurement will also allow the Port to utilize specialized planning and design expertise for corrective actions and adaptive management in the event that the constructed mitigation does not achieve performance objectives. These tasks necessarily include meetings and other communications with regulatory agencies to facilitate consensus.

The procurement will provide technical support for any unanticipated work associated with future impacts to natural resources. While the extent of this potential work is not well known, the type of work that may be required is well understood and specifically identifiable.

PROJECT SCOPE OF WORK AND SCHEDULE:

Scope of Work:

The proposed contract will provide consulting services to (i) support Aviation Environmental department compliance with 1997 MPU project permits issued for natural resource impacts; and (ii) provide other services to the Aviation Environmental department related to developing planning, facility operations, and CIP review. Tasks include but are not limited to:

§401 /§404 Permit Compliance:

- Low Flow Mitigation Performance Monitoring and Reporting
- Redelineate Existing and Mitigated Wetland Boundaries
- Stream Mitigation Performance Monitoring and Reporting
- Indirect Impacts Monitoring and Reporting
- Wetland mitigation monitoring

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- Additional or revised monitoring that may be required by regulatory agencies in response to monitoring results and/or implemented adaptive management and corrective actions.

Other Services:

- Evaluation, permitting, and mitigation of impacts to regulated streams and wetlands
- Compliance with local shorelines master programs and critical areas ordinances
- Evaluation, permitting, and mitigation of impacts to listed under the Endangered Species Act and other regulated fish and wildlife species and their habitat
- Stormwater, floodplain, and watershed planning, analysis, and management associated with NPDES permitting, inter-local resource management programs, and other natural resource regulatory mechanisms.

Schedule:

Tasks performed are scheduled to begin as early as October 1, 2012. The contract will have a five-year contract ordering period during which time the Port may issue service directives. Contract duration may be extended to allow completion of all service directives issued during that time. The five-year duration of the contract is predicated on site-specific requirements for wetland redelineation. The redelineation task extends from 2015 to 2017 and should be completed under a single existing contract to ensure continuity of the field work, reporting, and any subsequent necessary negotiations.

FINANCIAL IMPLICATIONS:

The total estimated cost for environmental field support services will not exceed \$800,000. The requested contract maximum is based on projected work in the next five years and budget data from previous year's monitoring efforts. No work is guaranteed to the consultants, and the Port is not obliged to pay the consultant until a service directive is executed and work performed. After receiving authorization for each project in accordance with Resolution No. 3605, as amended, the actual work will be defined and the Port will issue individual project-specific service directives.

Budget Status and Source of Funds:

The costs associated with services to be performed under this procurement in 2012 are in the Commission approved 2012 Aviation Division operating budget. Costs for future years will be included in subsequent annual Aviation Environmental Department operating budget requests. Funding for natural resources consulting services at other sites will be provided through future individual project or other department operating budget authorizations. Costs will be funded by the Airport Development Fund.

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STRATEGIC OBJECTIVES:

This project supports the Port's business strategy to create a "high performance organization" by providing a cost efficient means to secure professional services for known tasks with variable annual workload. These tasks require varied and specialized expertise that cannot be effectively provided by Port staff.

In addition, this agreement supports the Port's business strategy to "exhibit environmental stewardship through our actions" by ensuring compliance with the Airport's 1997 MPU natural resource permits and other permits and impacts.

ENVIRONMENTAL SUSTAINABILITY:

Mitigation for impacts to streams and wetlands, in addition to performance monitoring to ensure functional objectives, are not only required by state and federal law but are also the hallmarks of responsible environmental stewardship, from the perspectives of both the surrounding residential and business communities and the customers we serve.

BUSINESS PLAN OBJECTIVES:

Procurement of qualified environmental consulting support services is necessary to continue to meet the Port's obligation under environmental permits issued in support of Airport's 1997 MPU. Project actions will ensure success of constructed mitigation by identifying achieved functional objectives and any required corrective actions.

TRIPLE BOTTOM LINE:

The proposed authorization will allow the Port to accommodate varying work load and will result in actions that are protective of the environment and demonstrate compliance with environmental regulatory requirements while upholding the Port's obligations to the community. We will coordinate with the Office of Social Responsibility to include in the contract a goal for utilization of small contractors and suppliers (SCS).

ALTERNATIVES CONSIDERED AND THEIR IMPLICATIONS:

The following alternatives were considered for accomplishing the work described in the Scope of Work:

Alternative 1

Do nothing. The Port would be in violation of its legal obligations and would be potentially subject to legal action and negative publicity. This is not the recommended alternative.

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Alternative 2

Complete the work using Port staff only. Existing Port staff are already heavily involved in managing the Airport's 1997 MPU permits and performing portions of the mitigation performance monitoring and reporting. The proposed support services scope of work is substantial but sporadic. In addition, use of outside services makes available to the Port certain technical skills not possessed by current staff. Utilizing Port staff for environmental field support services would be inefficient and is not the recommended alternative.

Alternative 3

Complete the work using only outside consultants. Outside consultants have sufficient numbers and types of specialists necessary for timely completion of this work. However, using all outside consultants for environmental field support services would not be cost effective, nor would it enable closely monitored implementation of Port environmental management policies in the execution of daily field activities. This is not the recommended alternative.

Alternative 4

Complete the work using a combination of Port staff and outside consultants. This alternative maximizes the effectiveness of existing staff and ensures their full utilization while allowing for varying overall effort through the use of outside consultants. The alternative also allows the Port to use outside consultants with specialized skills leaving oversight of this publicly sensitive program under close management and supervision by Port staff. **This is the recommended alternative.**

OTHER DOCUMENTS ASSOCIATED WITH THIS REQUEST:

None.

PREVIOUS COMMISSION ACTIONS OR BRIEFINGS:

The Commission authorized the Aviation Division operating expense budget for 2012, which contained \$492,000 for wetland-related consulting services. Related work in 2010, 2011 and the first part of 2012 was completed under a separate \$750,000 Category III IDIQ authorized for award by Commission on June 22, 2010 and is set to expire December 1, 2012.

